

NOV 02 2018

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

DOCKET NUMBER:  
20190009

STATE OF GEORGIA

IN THE MATTER OF:  
DON C. WALKER, M.D.,  
License No. 24876,  
  
Respondent.

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PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and DON C. WALKER, M.D. ("Respondent"), the following disposition of this matter is entered into pursuant to the provisions of O.C.G.A. §50-13-18, 43-34-8, and/or §43-1-19.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relative to the matters herein.

2.

Respondent engaged in intimate relationships with women who were either patients or former patients. Respondent also prescribed medications for certain of these women without conducting a medical evaluation.

3.

Respondent submitted to an evaluation after which recommendations were made.

4.

Respondent admits the above findings of fact and waives any further findings of fact with respect to the above styled matter.

### **CONCLUSIONS OF LAW**

Respondent's conduct and the above Findings of Fact constitute sufficient grounds for the imposition of sanctions and/or conditions upon Respondent's license to practice medicine in the State of Georgia pursuant to O.C.G.A. §§43-34-8 and 43-1-19.

### **ORDER**

The Georgia Composite Medical Board, having considered all the particular facts and circumstances of this case, hereby orders, and the Respondent hereby agrees as follows:

1.

- (a) Individual Therapy. Respondent shall participate in individual therapy with a Board approved provider ("therapist") with experience in professional boundary violations and personality issues identified in the evaluation. Any change in therapist shall be preapproved in writing by the Board.
- (b) Quarterly Reports. Respondent shall submit or cause to be submitted quarterly reports from his therapist regarding his performance and mental/physical condition by March 31, June 30, September 30 and December 31 of each calendar year. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of the Consent Order. It is expected that the therapist will immediately report any change in Respondent's behavior that would render Respondent unable to practice medicine with reasonable skill and safety to patients. By executing the Consent Order, Respondent specifically consents to such therapist or any physicians or any facility where Respondent obtains medical treatment reporting upon Respondent's condition, notwithstanding any privilege provided by state or federal law.

- (c) Use of Chaperone. For all patient visits with female patients, Respondent shall utilize a female chaperone during the entire visit or treatment. Respondent shall ensure the chaperone documents her presence by signing the office note for each visit. The Board shall have the authority to audit Respondent's patient records at any time to confirm compliance with this requirement. Within ten (10) days of the effective date of this Order or, if a new chaperone is employed, prior to beginning employment, Respondent shall provide the chaperone with a copy of this Order and submit a notarized statement to the Board evidencing that the chaperone has received and read this Order. Should Respondent become employed by a hospital and treat patients in the hospital, he shall obtain a letter from the CEO or Administrator of the hospital confirming that he has provided the hospital with a docketed copy of this Order and that the hospital will arrange for a female chaperone to accompany Respondent for all inpatient visits.
- (d) No Home Visits. Respondent shall not see or treat patients at his residence. Any after hours patient visits or treatment shall be conducted in Respondent's office or clinic with a chaperone present or Respondent shall refer such patient to the emergency department for treatment.
- (e) Further Evaluation. The Board shall also have the authority to order Respondent to undergo a physical or mental evaluation by a physician designated by the Board. Respondent shall execute such releases as may be required for the Board to obtain the results of such evaluations.
- (f) Professional Boundaries Course. Within six (6) months of docketing of this Consent Order, Respondent shall attend and successfully complete a Board preapproved three to five day professional boundaries course and provide satisfactory proof of such attendance and

successful completion. Any such course or hours of attendance may not be used to fulfill any continuing education hours necessary for license renewal.

(g) Mercer Prescribing Course. Within six (6) months of docketing of this Consent Order, Respondent shall enroll in and successfully complete the mini-residency program entitled “Appropriate Prescribing of Controlled Substances” sponsored by the Mercer University College of Pharmacy. Respondent shall submit adequate documentation demonstrating the completion of this requirement within six (6) months from the docketing date of the Consent Order. This coursework shall be in addition to CME requirements and may not be used to fulfill any continuing education hours for license renewal.

(h) Periods of Residency Outside Georgia or Periods When Not Actively Practicing Medicine. In the event that Respondent should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, Respondent shall notify the Board in writing of the dates of departure and return.

(i) Employment/ Residency Change. Respondent shall notify the Board in writing of his practice location within ten (10) days of beginning practice. Respondent shall advise the Board of any change in address of record or employment status within 10 days of the change.

(j) Abide By Laws, Rules and Terms. Respondent shall abide by all State and Federal laws regulating the practice of medicine or relating to drugs, the Rules and Regulations of the Georgia Composite Medical Board and the terms of this Consent Order. If Respondent shall fail to abide by such laws, rules or terms, or if it should appear from reports submitted to the Board that Respondent is otherwise unable to practice medicine with reasonable skill and safety to patients, or should Respondent violate the criminal laws of the State, Respondent’s license shall be subject to further discipline, including revocation, upon substantiation

thereof after notice and hearing, and if revoked, the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement.

**Respondent further agrees that any violation of this Consent Order shall be deemed to be sufficient to authorize the Board to order summary suspension of Respondent's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Respondent understands that he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.**

(k) Modification. Respondent agrees that he shall not be eligible to petition to modify any portion of this Consent Order for a period of two (2) years from the effective date of this Order. Any petition submitted by Respondent for modification after the two (2) year period shall include letter(s) of support from Respondent's therapist. Any decision to grant or deny the petition shall be in the Board's discretion and Respondent shall not be entitled to a hearing under the Georgia Administrative Procedure Act but may appear before the Board at his request

(l) Public Reprimand. In addition to any other sanction, this Consent Order shall constitute a public reprimand of Respondent.

2.

Respondent understands that pursuant to O.C.G.A. Title 43, Chapter 34A, the contents of this Consent Order shall be placed on Respondent's Physician Profile. Furthermore, by executing this Consent Order, Respondent hereby agrees to permit the Board to update the Physician's Profile reflecting this Consent Order.

3.

Approval of this Consent Order by the Georgia Composite Medical Board shall in no way be construed as condoning the Respondent's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board. The Board reserves the right to initiate disciplinary action for any conduct not related to the conduct described in the findings of fact within this Order.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that he has a right to a hearing before the Board, and freely, knowingly, and voluntarily waives that right. Respondent understands that the Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent further understands and agrees that the Board shall have the authority to review the application file and all relevant evidence in considering the Consent Order. Respondent further understands that the Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in the proceeding, or prejudice the right of the Board to adjudicate the matter. Respondent consents to the terms and conditions contained herein.

Approved, this 2nd day of November, 2018.

(BOARD SEAL)



**GEORGIA COMPOSITE MEDICAL BOARD**

BY:

A handwritten signature in dark ink, appearing to read "John Jeffrey Marshall", written over a horizontal line.

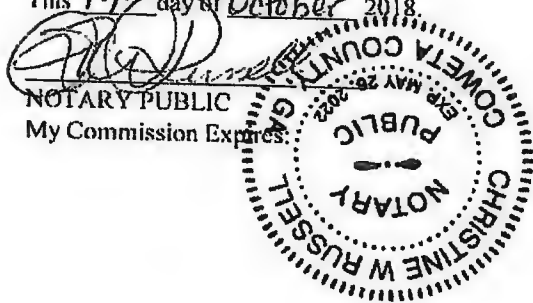
JOHN JEFFREY MARSHALL, M.D.  
Chairperson

ATTEST: *Lasharn Hughes*

LASHARN HUGHES  
Interim Executive Director

CONSENTED TO: *Don C. Walker*  
DON C. WALKER, M.D.  
Respondent

[As to Respondent's signature:]  
Sworn to and subscribed before me  
This 17<sup>th</sup> day of October 2018.



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